

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONNA LEE WEBSTER,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 1:20-cv-986-HBK

ORDER GRANTNG AWARD AND
PAYMENT OF ATTORNEYS' FEES UNDER
THE EQUAL ACCESS TO JUSTICE ACT

(Doc. No. 19)

Pending before the court is the parties' stipulated motion for attorneys' fees filed on December 22, 2021. (Doc. No. 19). The parties agree to an award of attorneys' fees and expenses to Plaintiff's counsel in the amount of three thousand nine hundred dollars (\$3900.00) under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (*Id.*).

On September 24, 2021, this Court approved the parties' joint stipulation remanding the case under 42 U.S.C. § 405(g) for further administrative proceedings. (Doc. No. 18). Plaintiff now requests an award of fees and expenses as the prevailing party under that order. *See* 28 U.S.C. § 2412(d); Fed. R. Civ. P. 54(d)(1).

The Commissioner does not oppose the requested relief. (*See* docket). After issuance of an order awarding EAJA fees and costs, the United States Department of the Treasury will determine whether plaintiff owes a debt to the government. If plaintiff has no discernable federal debt, the government will accept plaintiff's assignment of EAJA fees and pay the fees directly to

1 plaintiff's counsel.

2 Accordingly, it is **ORDERED:**

3 1. The parties' stipulated motion for attorneys' fees and expenses (Doc. No. 19) is

4 **GRANTED.**

5 2. Plaintiff is awarded attorneys' fees and expenses in the amount of THREE
6 THOUSAND NINE HUNDRED DOLLARS (\$3,900.00). Unless the Department of Treasury
7 determines that plaintiff owes a federal debt, the government must pay the fees to plaintiff's
8 counsel in accordance with plaintiff's assignment of fees and subject to the terms of the stipulated
9 motion.

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11 Dated: February 24, 2022


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE

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